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Filing date: **01/24/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91198265
Party	Plaintiff Weber-Stephen Products Co.
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Attachments	weber amended motion to change name.pdf (4 pages)(324125 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Applicant:	Sunday Rocks LLC)	
)	
Serial No.:	77/811726)	Opposition No. 91198265
)	
Filing Date:	August 24, 2009)	
)	
Mark:	SUNDAY ROCKS (and design))	
	)	
)	
)	
	Weber-Stephen Products Co.,)	
)	
	Opposer,)	
)	
	v.)	
)	
	Sunday Rocks LLC)	
)	
	Applicant.)	

AMENDED MOTION TO CHANGE NAME OF PARTIES

In support of its Amended Motion to Change Name of Parties, pursuant to 37 C.F.R §2.127 and TBMP § 512.02, Applicant hereby states as follows:

1. Opposer Weber-Stephen Products Co. is filing this Amended Motion to Change Name of Parties to correct a typographical error contained in the prior Motion filed on January 21, 2011, whereby Weber-Stephen Products Co. was sometimes misspelled as Weber-Stephens Products Co.
2. Opposer Weber-Stephen Products Co, an Illinois company, originally owned various trademarks associated with its Weber® barbecue grill business, including but not limited to, Registration Nos. 3834455 and 2540281 (the “*Weber Marks*”).

3. On December 17, 2010, Weber-Stephen Products Co. assigned its rights in and to the Weber Marks and other marks to Weber-Stephen Products LLC ("**Weber LLC**"). Exhibit A to this Motion contains the Trade Assignment Abstract of Title for each Weber Mark and the Trademark Assignment Assignee Details from the USPTO Assignment Database documenting the recordation of the assignment.

4. The assignment of the Weber Marks from Weber-Stephen Products Co. to Weber LLC occurred *after* the Board granted, on November 11, 2010, an extension of time to file a notice of opposition up until January 23, 2011.

5. Because Weber LLC is now the owner of the Weber Marks on which the subject opposition is based, Opposer respectfully requests that the Board change the name of Opposer from "Weber-Stephen Products Co." to "Weber-Stephen Products LLC."

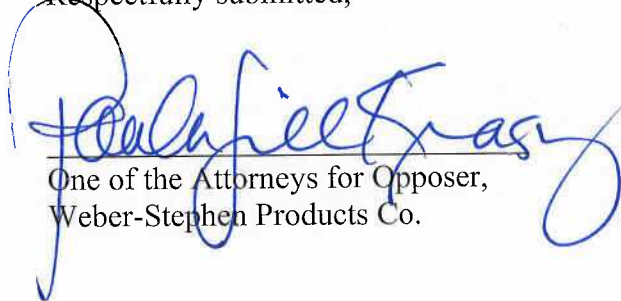
6. When Opposer filed its request for extension of time to oppose, the TTAB records listed Sunday Rocks LLC, a California limited liability company, as the owner of the mark subject to this opposition, -- *i.e.*, Application No. 77/811726 for SUNDAY ROCKS (and kettle grill design) (the "***Sunday Rocks Mark***"). Exhibit B to this Motion demonstrates that the TTAB's records still list the owner of the Sunday Rocks Mark as Sunday Rocks LLC.

7. The USPTO Assignment records reflect that on June 17, 2010, Sunday Rocks LLC assigned the Sunday Rocks Mark to Angela Locke, an individual. A printout of the Trademark Assignment Abstract of Title for the Sunday Rocks Mark is contained in Exhibit C.

8. Because Sunday Rocks LLC no longer owns the Sunday Rocks Mark, Opposer respectfully requests that the Applicant's name be changed from "Sunday Rocks LLC" to "Angela Locke."

WHEREFORE, in light of the foregoing facts, Opposer respectfully requests that case caption for this proceeding be changed to from "*Weber-Stephen Products Co. v. Sunday Rocks, LLC*" to "*Weber-Stephen Products LLC v. Angela Locke*."

Respectfully submitted,



One of the Attorneys for Opposer,
Weber-Stephen Products Co.

Dated: January 24, 2011

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CERTIFICATE OF MAILING

The undersigned certifies that the foregoing Amended Motion to Change Name of Parties is being filed electronically via the Electronic System for the Trademark Trial and Appeals Board (ESSTA), with a copy send by First Class Mail to:

John Maltbie, Esq.
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and

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Attorney
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Los Angeles, CA 90071

on this 24th day of January, 2011.


Paula Jill Krasny